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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,209	07/03/2001	Paul Henry Fuoss	1999-0591	2360

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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,209

Applicant(s)

FUOSS ET AL.

Examiner

Md S Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 04/21/04. Claims 1-36 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-36 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-14 and 16-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Wenk et al. (U.S. Patent No. 6,253,088).

Regarding claim 1, Wenk teaches detecting engagement of a subscriber terminal (i.e., personal communications device) with a housing of personal base station 18 (i.e., docking station) (abstract; fig.1; col.5, lines 35, 36, col.8, lines 36-50). (Note: the subscriber terminal docked in the personal base station refers to engagement of a

subscriber terminal and since, the personal base station reads on the claimed docking station with housing)

Wenk further teaches in response to the detecting, the base station selects at least one predetermined command (the identification information of subscriber terminal, see col.5, line 55) (Note: Claim1 recites selecting 'command' includes 'an address of the network device'. It is clear that the claimed 'command' includes at least 'a network address' of the device. Wenk teaches that the base station selects a prestored 'network address' (i.e., ID formation) of the device 10, from the base station 18 (see col.5, lines 52-58) for registration process. Thus, Wenk inherently has the claimed command with the ID of the device sending to the ACRE (see col.8, lines 36-40)) from a plurality of predetermined commands (i.e., plurality of commands associated with multiple identification information), the predetermined command including inherently an address of the call routing equipment (ACRE) 22 (i.e., network device) (fig.1; col.5, lines 46-58).

Wenk further teaches transmitting the predetermined command from the personal base station 18 (i.e., docking station) to the ACRE 22 (i.e., network device) (col.5, lines 46-58).

Regarding claim 2, Wenk teaches transmitting the predetermined command to the subscriber terminal (i.e., personal communications device) (col.5, lines 46-58).

Wenk further teaches transmitting the predetermined command from the subscriber terminal (i.e., personal communications device) to the ACRE 22 (i.e., network device) (col.5, lines 46-58).

Regarding claims 3 and 31, Wenk teaches transmitting a predetermined identifier from the subscriber terminal (i.e., personal communications device) to the ACRE 22 (i.e.,

network device), the predetermined identifier being associated with the predetermined command (col.5, lines 46-58).

Regarding claim 4, Wenk teaches transmitting the predetermined identifier from the mobile terminal (i.e., personal communications device) to the personal base station 18 (i.e., docking station) (col.5, lines 46-58).

Regarding claim 5, Wenk teaches that the network device is a personal base station 18 (i.e., docking station) (col.5, lines 46-58).

Regarding claim 6, Wenk teaches the network device is a call routing equipment (i.e., network call controller) (col.4, line 7).

Regarding claims 7 and 29, Wenk teaches that the predetermined command is configured to cause the network call controller to transfer an active voice phone call (i.e., future incoming call) from the personal communications device to a landline telephone number associated with personal base station (i.e., alternative communications device) without an incoming ring signal sent to the personal communications device (fig.1, 7; col.7, lines 19, 20, col.8, lines 51-65).

Regarding claims 8 and 28, Wenk teaches that the predetermined command further includes a phone number of the alternative communications device (col.5, lines 46-58).

Regarding claims 9 and 27, Wenk teaches that the predetermined command further includes an address of the alternative communications device (col.5, lines 46-58, col.8, lines 51-65).

Regarding claim 10, Wenk teaches that the plurality of predetermined commands can be reconfigured (col.5, lines 46-58, col.8, lines 36-50).

Regarding claim 11, Wenk teaches that personal communications device comprises a cellular phone (fig.1; col.3, line 66).

Regarding claim 12, Wenk teaches that the call routing equipment (i.e., network call controller) comprises a digital switch (col.8, lines 24-26).

Regarding claim 13, Wenk teaches that the alternative communications device comprises a land-line phone (col.8, lines 55-58). (Note: since land line telephone number is associated with personal base station, land-line phone is inherent)

Regarding claim 14, Wenk teaches that the alternative communications device comprises a cordless station 34 (i.e., cellular phone) (col.6, lines 21-25).

Regarding claim 16 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Wenk teaches detecting disengagement of a mobile terminal (i.e., personal communications device) (abstract; abstract; fig.1; col.5, lines 6-14, 23-31).

Regarding claims 17-20 are rejected for the same reasons as discussed above with respect to claims 5-7 and 10.

Regarding claim 21 is rejected for the same reasons as discussed above with respect to claims 1 and 16. Furthermore, Wenk teaches a housing adaptively configured to receive a subscriber terminal (i.e., personal communications device) (fig.1; col.5, lines 6-14).

Wenk further teach a controller (i.e., processor) inherently coupled to the housing (fig.2).

Wenk further teach a memory, coupled to the processor, to store instructions adapted to be executed by the processor (fig.2, item 56; col.6, lines 21-29).

Wenk teaches a port, coupled to the controller (i.e., processor), and adapted to be coupled to a network (fig.1, fig.2, item 55; col.5, lines 41-46). (Note: controller controls the operation of the personal base station and port of subscriber terminal is coupled to the personal base station, therefore, the port is coupled to the controller)

Regarding claims 22 and 24 are rejected for the same reasons as discussed above with respect to claim 2.

Regarding claim 23 is rejected for the same reasons as discussed above with respect to claims 1 and 3.

Regarding claim 25 is rejected for the same reasons as discussed above with respect to claim 10.

Regarding claim 26, Wenk teaches receiving a transfer command at the call routing equipment (ACRE) 22, the transfer command being associated with an active phone call on a subscriber terminal (i.e., first communications device) (fig.1, 7; col.5, lines 46-58, col.8, lines 36-65). (Note: transfer command is a command associated with a forwarding number)

Wenk further teaches transferring the active phone call to a landline telephone number associated with personal base station (i.e., second communications device) the transferring being inherently without an incoming ring signal sent to the subscriber terminal (fig.1, 7; col.7, lines 19, 20, col.8, lines 51-65).

Regarding claim 30, Wenk teaches that the transfer command is received from the personal base station (i.e., second communications device) (col.5, lines 46-58).

Regarding claim 32 is rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 33 is rejected for the same reasons as discussed above with respect to claim 16.

Regarding claim 34 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Wenk teaches retrieving an address (i.e., network address) of the subscriber terminal (i.e., personal communications device) from the subscriber terminal (abstract; col.5, lines 52-58, col.8, lines 36-45).

Wenk teaches identifying the network address of the subscriber terminal (i.e., personal communications device) and a source address (i.e., network address) of a personal base station (i.e., second network terminal) (col.8, lines 36-45).

Regarding claim 35 is rejected for the same reasons as discussed above with respect to claim 34. Furthermore, Wenk teaches redirecting the communications request to the personal base station (i.e., second network terminal) (col.8, lines 36-50).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 26 is rejected under 35 U.S.C. 102(e) as being anticipated by Miner et al. (U.S. Patent No. 5,652,789).

Regarding claim 26, Miner teaches receiving a forward command (i.e., transfer command) at the electronic assistant (i.e., network communications device), the forward command being associated with a future incoming call (i.e., active phone call) on a

subscriber designation (i.e., first communications device) (fig.33, 34; col.7, lines 18-67, col.8, lines 1, 2, 10-17, col.43, lines 24, 25, 31-36).

Miner further teaches transferring the future incoming call (i.e., active phone call) to a landline telephone number (i.e., telephone number for voice mail is inherent) associated with voice mail (i.e., second communications device) the transferring being inherently without an incoming ring signal to the subscriber designation (fig.33, 34; col.7, lines 18-67, col.8, lines 1, 2, 10-17, col.43, lines 24, 25, 31-36).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wenk et al. (U.S. Patent No. 6,253,088) and in view of Oh et al. (U.S. Patent No. 6,519,458).

Regarding claim 15, Wenk fails to teach "said alternative communications device comprises a computer adaptively configured to receive, process, and transmit IP voice data through the network". Oh teaches that the alternative communications device comprises a computer adaptively configured to receive, process, and transmit IP voice data through the network (abstract; fig.2, fig.3; col.4, lines 18-52, col.5, lines 10-36). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wenk to allow the alternative communications device comprising a computer adaptively configured to receive, process, and transmit IP voice

data through the network as taught by Oh. The motivation for the modification is to have doing so in order to provide a device so that it can receive, process, and transmit IP voice data.

9. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wenk et al. (U.S. Patent No. 6,253,088) and in view of Mikkola et al. (U.S. Patent No. 6,529,143).

Regarding claim 36 is rejected for the same reasons as discussed above with respect to claims 34 and 35. Furthermore, Wenk fails to teach "retrieving a set of filter conditions associated with the second network terminal". Mikkola teaches retrieving a set of screening (i.e., filter) conditions associated with the second network terminal (abstract; col.3, lines 56-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wenk to allow retrieving a set of filter conditions associated with the second network terminal as taught by Mikkola. The motivation for the modification is to have doing so in order to retrieve relevant records of the destination being screened from the database.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fintel (U.S. Patent No. 6,529,143) teach Cellular telephone docking system and Berg et al. (U.S. Patent No. 5,799,255) teach Method for controlling an accessory of a subscriber terminal equipment and an accessory of a subscriber terminal equipment.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. E.

MD SHAFIUL ALAM ELAHEE
July 12, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', written over the printed name and title.